

TUOLUMNE UTILITIES DISTRICT  
POLICIES AND PROCEDURES FOR INSPECTION  
AND COPYING OF PUBLIC RECORDS

Pursuant to authority granted it and the provisions of Government Code Section §6250 et seq. (Public Records Act), Tuolumne Utilities District (District) has adopted the following guidelines and policies concerning the disclosure and copying of public records.

1. General Policy:

Pursuant to the Public Records Act, it is the District's policy that every person has a right to inspect any public records of the District during regular office hours, and to obtain copies thereof, in order that the public may be fully informed concerning the conduct of the District's business. However, such access is limited by the exemptions set forth in the Public Records Act itself and by an individual's constitutional right to be free from unwarranted invasions of his or her privacy. As used herein, "public records" includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the District regardless of physical form or characteristics; "writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, discs, and other documents.

2. Exemptions from Disclosure:

Pursuant to the Public Records Act, including Government Code §6254 and §6255, exempt records include, but are not limited to, the following:

- a. Preliminary drafts, notes, or interagency or intra-agency memoranda which are not retained by the District in the ordinary course of business, provided that the public interest in withholding such records clearly outweigh the public interest in disclosure. §6254(a)
- b. Records pertaining to pending litigation to which the District is a party, or to claims made against the District, until the pending litigation or claim has been fully adjudicated or otherwise settled. §6254(b)
- c. Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy. §6254(c)
- d. The contents of real estate appraisals or engineering or feasibility estimates and evaluations made by or for the District relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained. (This section shall not affect the law governing eminent domain proceedings.) §6254(h)
- e. Records which are exempted or prohibited from disclosure pursuant to provisions of federal or state law, including but not limited to, provisions of the Evidence Code relating to privilege. §6254(k)

This would include confidential communications between the District and its counsel (Evidence Code §950 et. seq.), and official information which is received in confidence by the District, and the public interest in preserving the confidentiality of the communication outweighs the necessity for disclosure in the interest of justice.

(Evidence Code §1040 et seq.)

- f. Those instances in which the public interest in disclosure is clearly outweighed by the public interest in not making the records public. An example would include excessive invasion of an individual's privacy. Along these lines, the District will seldom divulge the home address or telephone number of any person. (§6255)

3. Examination of Records:

Upon receipt of a written request, the District Manager shall determine whether or not a particular public record is exempt from disclosure, and said District Manager shall be entitled to a reasonable time to consult with counsel on the matter before making a decision. If a record is deemed exempt from disclosure, the requesting party shall be entitled to notification regarding the same, and to a statement identifying the name and title of the person responsible for the denial.

While it is the District's policy to make all non-exempt records promptly available for public examination, practical considerations may require that such examination be briefly delayed, as when the request involves substantial time to locate the records, or when such records are then necessarily being used by District personnel to conduct District business. In such instances, the District Manager shall then arrange with the requesting party a time when such records may be inspected.

4. Copies of Records:

Upon receipt of a written request and the payment of applicable fees, the District shall promptly provide copies of identifiable non-exempt public records to a requesting party, unless impracticable to do so at that time. It shall be the requesting party's responsibility to describe with reasonable particularity the record(s) to be inspected and/or copied, so that staff can locate the same. If copies are requested and it is impracticable to copy said record(s) at the time of request, the District Manager shall determine either immediately, or within ten (10) days thereof, whether to comply with a request for copying, and shall notify the requesting party of the decision and the reasons therefor. In unusual cases involving records which are unusually difficult to locate or not available to the District, the District Manager may notify the requesting party that he needs an additional ten (10) days to make such determination. (§6250 through §6257)

5. Cost:

Fees shall be charged for copying according to the following fee schedule:

Document copies	10¢ each page
Blueprints	\$2.00 each sheet
Color plotted maps	\$3.00 each sheet
Wastewater Master Plan Section topographic maps on computer diskette	\$10.00 per section map
Computer program data base	Addressed on an individual basis

6. Inspection and Copying Requests to be in Writing:

All requests to inspect or copy records shall be submitted to the District office, 18885 Nugget Blvd., Sonora, California, on a form provided by the District.